

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) No. 4:12CR149 CDP NAB
)
MARK DICKINSON,)
)
 Defendant.)

ORDER AND SPEEDY TRIAL FINDING

This matter is before the Court on Defendant's Request for Extension of Time to File Pretrial Motions and Continuance of Evidentiary Hearing [[Doc. #20](#)] filed on May 25, 2012. In support of the Request, Defendant stated that:

1. Defendant was charged via Indictment with one count of receipt of child pornography on April 11, 2012;
2. The Federal Public Defender was appointed and defendant was arraigned on May 14, 2012;
3. Pre-trial Motions are currently due on May 25, 2012 and an evidentiary hearing is set on June 7, 2012;
4. Undersigned counsel was recently retained and entered his appearance for defendant on May 22, 2012;
5. Counsel has obtained the paper police reports but has not yet received the entire discovery, including the electronic discovery;
6. Beginning on May 23, 2012, counsel has been attending the State of Missouri

Judicial College at Lake of the Ozarks and has insufficient time to review the discovery and prepare pretrial Motions;

7. Defendant is requesting an additional seven (7) days until June 1, 2012 to review all applicable discovery, including the electronic materials, and to file pre-trial Motions;

8. Defendant is also requesting a continuance from the June 7, 2012 evidentiary hearing date;

9. The Assistant United States Attorney has no objection to defendant's requests;

10. Defendant requests this extension and continuance as it is in the interest of justice and it is not intended to vex or delay the Court.

Defendant requested an additional seven (7) days until June 1, 2012 in which to file pre-trial Motions and that the June 7, 2012 evidentiary hearing be continued.

Speedy Trial Finding: For the reasons set out in Defendant's motion, the Court finds that to deny Defendant's request for such additional time would deny counsel for Defendant the reasonable time necessary for effective investigation and preparation of pretrial motions, taking into account the exercise of due diligence, and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial, and therefore, the time granted to Defendant to investigate and properly prepare pretrial motions, or a waiver thereof, is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. §§ 3161(c)(1) and 3161(h)(7).

IT IS HEREBY ORDERED that Defendant's Request for Extension of Time to File Pretrial Motions and Continuance of Evidentiary Hearing [[Doc. #20](#)] is **GRANTED**. Defendant shall have to and including **June 1, 2012** to file any pretrial motions or waiver of motions. The government shall have until **June 8, 2012** to respond.

IT IS FURTHER ORDERED that the evidentiary hearing set for **June 7, 2012** shall be continued until **June 15, 2012 at 10:00 a.m.**

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE

Dated this 30th day of May, 2012